

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF AT&T COMMUNICATIONS	)	
OF THE SOUTH CENTRAL STATES, INC.	)	CASE NO.
TO INTRODUCE ACCUNET SPECTRUM OF	)	91-349
DIGITAL SERVICES	)	

O R D E R

This matter arising upon petition of AT&T Communications of the South Central States, Inc. ("AT&T") filed August 30, 1991 pursuant to 807 KAR 5:001, Section 7, for confidential protection of the cost data in the Revenue Analysis filed in support of its application to introduce ACCUNET Spectrum of Digital Services on the grounds that disclosure of the information is likely to cause AT&T competitive injury, and it appearing to this Commission as follows:

In this proceeding, AT&T is seeking to introduce ACCUNET Spectrum of Digital Services, which it is offering as an add-on to its interstate offering. ACCUNET Spectrum of Digital Services affords a customer the opportunity to select channels at various digital speeds for end-to-end communications arrangements when connected to access or appropriate office functions. ACCUNET Spectrum of Digital Services offers point-to-point connections and multipoint connections between AT&T central offices which may be within the same LATA or located in different LATAs within the state. In support of its application, AT&T has submitted a

Revenue Analysis which contains cost data which it seeks to protect as confidential.

The information sought to be protected is not known outside of AT&T and is not disseminated within AT&T except to those employees who have a legitimate business need to know and act upon the information. AT&T seeks to preserve the confidentiality of the information through all appropriate means.

807 KAR 5:001, Section 7, protects information as confidential when it is established that disclosure is likely to cause substantial competitive harm to the party from whom the information was obtained. In order to satisfy this test, the party claiming confidentiality must demonstrate actual competition and a likelihood of substantial competitive injury if the information is disclosed. Competitive injury occurs when disclosure of the information gives competitors an unfair business advantage.

Disclosure of the cost information would provide AT&T's competitors with information which could be used in pricing and marketing their competing services. Therefore, disclosure of the information is likely to cause AT&T competitive injury and the information should be protected as confidential.


This Commission being otherwise sufficiently advised,

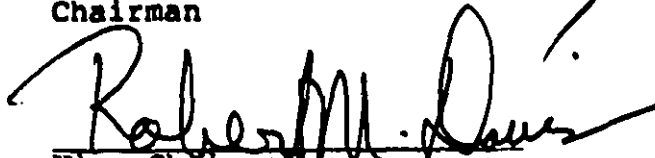
IT IS ORDERED that the cost information contained in the Revenue Analysis developed by AT&T in support of its proposed ACCUNET Spectrum of Digital Services tariff, which AT&T has petitioned be withheld from public disclosure, shall be held and

retained by this Commission as confidential and shall not be open for public inspection.

Done at Frankfort, Kentucky, this 2nd day of October, 1991.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

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Commissioner

ATTEST:

  
Executive Director